

**MOUNT LAUREL FIRE DISTRICT #1
BOARD OF FIRE COMMISSIONERS
REGULAR MEETING MINUTES**

June 17, 2015

Fire Department Headquarters Station
Meeting Minutes #9

IN ATTENDANCE:

1. Commissioner Cornue
2. Commissioner Ridenour
3. Commissioner Roura
4. Commissioner Shestack
5. Commissioner Hamilton
6. Chief of Department Colucci
7. Deputy Chief Burnett
8. Administrator Jones

NOT IN ATTENDANCE:

1. Solicitor Braslow

The meeting was called to order by Commissioner Shestack at 8:00 PM.

The pledge of allegiance was recited and a moment of silence was observed.

Public announcements were read by Commissioner Hamilton.

RESOLUTIONS:

- Resolution #2015-28 "Appointment of Justin A. Collier as a 'Junior' Member of the Mount Laurel Fire Department". Commissioner Ridenour made a motion to approve the resolution that was seconded by Commissioner Cornue. The motion was unanimously approved by the Board.
- Resolution #2015-29 "Appointment of Cody M. Somerville as a 'Junior' Member of the Mount Laurel Fire Department". Commissioner Ridenour made a motion to approve the resolution that was seconded by Commissioner Cornue. The motion was unanimously approved by the Board.
- Resolution #2015-30 "Appointment of Hunter M. Louie as a 'Junior' Member of the Mount Laurel Fire Department". Commissioner Cornue made a motion to approve the resolution that was seconded by Commissioner Ridenour. The motion was unanimously approved by the Board.
- Resolution #2015-31 "Appointment of Lucy Brooks as a 'Junior/Explorer Advisor' of the Mount Laurel Fire Department". Commissioner Ridenour made a motion to approve the resolution that was seconded by Commissioner Cornue. The motion was unanimously approved by the Board.

The Board took a brief recess at 8:06 PM so that the new members' families could take pictures and the Board reconvened at 8:12 PM.

FINANCIAL MATTERS:

Commissioner Roura reported that he had reviewed the June monthly bills and found everything to be in order. Commissioner Hamilton made a motion to approve monthly bills in the amount of \$496,832.93 that was seconded by Commissioner Ridenour. The motion was unanimously approved by the Board.

MONTHLY REPORT BY ADMINISTRATOR:

The Administrator had submitted his monthly report to the Board for their review prior to the meeting. Commissioner Shestack asked him about the new phone system bids that he had noted in his report. Administrator Jones explained that the existing Comdial FX PBX telephone systems were installed at the Masonville and Headquarters/Birchfield Stations in 2001. He added that the Comdial brand had been bought out by another company about 7 years ago and the FX model has not been supported with new hardware or software longer than that. Last year we experienced problems with the voicemail system and found out that repair parts were very difficult to obtain. For many years we have also been tolerating loud noise levels on the Verizon phone lines at the Masonville Station that

routinely causes the fire alarm panel to go into trouble. Verizon does not appear to be spending any money on their phone line infrastructure in that area of Mount Laurel because they cannot permanently resolve the problem. During preparation of the 2015 Budget proposal, we worked with our phone service company USA Phones in Cherry Hill to explore options for new equipment and alternatives to Verizon. They recommended the purchase of a "hosted" Voice over IP (VoIP) PBX system that would allow us to transition from Verizon phone lines using our Comcast internet service and allow voicemail and many new intercom features between the stations to be "hosted in the cloud". All of the phone extensions at these 2 locations would be connected through the "cloud" and make it much easier for staff to get their voicemail and phone calls. Commissioner Shestack was concerned that we would lose phone service if the internet goes down and Administrator Jones replied that this happens very infrequently and that we actually lose Verizon service much more frequently and that Comcast has been very responsive when there is a problem. He added that another benefit of the new system will be that the monthly cost for VoIP service should decrease our current monthly cost by over \$100.

Commissioner Shestack asked him if we were replacing the phone system at the Fellowship Station as well and Administrator Jones replied that the Fellowship Station phone system is only a few years old and that he wanted to make sure that we are happy with the new phone system before we look into replacing something that is working well. He added that he would like to explore the cost of doing that later this year if we have enough budget remaining from this project. Commissioner Shestack asked him about the bids that had been received for the new system and Administrator Jones replied that the lowest bid for the total non-recurring hardware cost was \$12,927.25 which included phones, switches and routers to split the internet signal between data and voice along with the labor to install everything and train key personnel. Existing wiring at both locations will be reused. Commissioner Shestack asked him if we could sell our old phone equipment and Administrator Jones replied that we are receiving a \$4,200 credit for all of the existing equipment as part of the winning proposal and that we have applied it to the total cost, which reduced their bid to the \$12,927.25 figure. Our total budget for the project is \$21,000 so we're well under budget and once everything is installed and working, we'll get a proposal for adding the Fellowship Station.

Resolution #2015-33 "Award of Contract for a New "Hosted" VoIP PBX Telephone System for the Masonville and Headquarters/Birchfield Stations to VOIP Systems USA, LLC for \$12,927.25". Commissioner Cornue made a motion to approve the resolution that was seconded by Commissioner Roura. The motion was unanimously approved by the Board.

Commissioner Shestack asked Administrator Jones about the next item in his report, which was the replacement of the pickup and Shop truck. Administrator Jones stated that the 2015 Budget has \$67,000 in funding for 2 new pickup trucks with snowplows to replace the existing pickup and the Shop truck based on quotes that we obtained for the 2015 year. Unfortunately, Ford stopped taking orders for 2015 vehicles on 3/1/15 and we will have to spend a little more for the 2016 models. The vehicles are available on State Contract for a total of \$66,137.50, which leaves us a little short for lettering/striping and some of the emergency warning equipment that we will need. If approved for the purchase, we will pull about \$5,000 in funding at the end of the year from the fire equipment line item to get these things done. He recommended that the Board approve this purchase so that the order can be placed in the production schedule and it is anticipated that they will be available in 2 to 3 months. Commissioner Ridenour made a motion to proceed with the Administrators' recommendation to purchase the 2 new replacement pickup trucks that was seconded by Commissioner Cornue. The motion was unanimously approved by the Board. Administrator Jones added that once the new vehicles are closer to being delivered, he'll get the Board a resolution for the sale of the existing vehicles and begin the GovDeals auction process. Commissioner Shestack asked him if we had budgeted anything for the sale of those 2 assets. Administrator Jones replied that we included an anticipated Sale of Assets figure in the 2015 Budget, but he wasn't sure how much it was.

Commissioner Shestack asked Chief of Department Colucci about the last item in the Administrators' report, the expanded use of fire stations as election polling places. Chief of Department Colucci stated that he received an e-mail from the Township Manager's assistant requesting that the Fellowship Station be used as a polling place at future elections so that the schools would not have to be used. He advised her of our concerns about our limited parking, the relocation of apparatus outside of the building in November, the use of the engine room area and the other things that we typically encounter during our February elections. She appreciated his concerns but stated that the Township was in a dilemma because there were no other public buildings in that area of Mount Laurel. Commissioner Ridenour clarified that the schools are now unable to be used for elections and Administrator Jones replied that the Township is trying not to use them if they can arrange for alternative locations to be used. Commissioner Shestack noted that the issue of school safety is now in the forefront and that a significant number of parents went to Township Council to voice their concerns about using the schools as polling places twice a year with the kids present, which undoubtedly led to her call to the Chief of Department. He added that after Chief of Department Colucci called him about her contact, he called Solicitor Braslow to see what our options were. Commissioner Shestack stated that he relayed the Chief of Department's concerns along with his own concerns about the lack of parking, people being able to wander off throughout the building and whether police would be there to assist with traffic control on Church Road. After speaking with Solicitor Braslow, Commissioner Shestack asked the Chief of Department to go back to the Township Manager and tell her that we'd like to help but we would need our concerns addressed first and her reply was that she already had the legal authority to go to the Board of Elections and list our facilities as polling places and that there was nothing that we can do about it.

Solicitor Braslow confirmed that they do have the legal authority to demand the use of our facilities because they are owned by the public and that there is really nothing that we can do about it. Chief of Department Colucci stated that since then he has spoken to her and she did commit to providing somebody to monitor activity in the building and that she was committed to dealing with the parking issues. One thing that she did not address was how they would address the issue of having apparatus left outside in freezing weather at the November General Election and a February Presidential election. Commissioner Shestack added that Solicitor Braslow advised him to work with them to make it equitable if we can. Chief of Department Colucci felt that after the 1st election that they hold there, they'll realize that it just isn't going to work. Commissioner Roura asked him if they knew how many voting districts would be voting there and Chief of Department Colucci replied that he didn't think that they have gotten that far yet. Administrator Jones added that Station 362 is located in District 7, which has always voted at Countryside School. He felt that they might put 2 or 3 voting districts in there but when they find out that the engine room space is a little cold in the winter and not air conditioned in the summer, they may rethink what they are doing. He also wondered whether they can maintain the 50' separation required for voting machines of different districts and whether they will run into any ADA access problems trying to get people into the engine room. He guessed that when you add up Fire, EMS and poll workers parking, there will be less than 10 parking spots left for the public to use. Another concern was that the bulk of the renovation work being done at each facility will still be going on in November, which will just complicate things even more.

MONTHLY REPORT BY THE CHIEF OF DEPARTMENT:

Chief of Department Colucci had submitted his monthly report to the Board for their review prior to the meeting. Commissioner Ridenour asked him how the Hainesport shared services work was going and he replied there has been a Hainesport truck in the Shop almost every day since the agreement went into effect on 6/1. Commissioner Shestack asked if we were billing them yet and he replied that we would be once the work is done. Commissioner Roura asked him how the assignment of the 2 new volunteers to the Station 361 career staff was working out and he replied that they are doing well and that he hoped to have 2 more guys bolstering the career staff crews in the evening hours by August. Commissioner Shestack asked him how often the new volunteers were riding with the career staff and he replied that they were scheduled to be there 2 nights a month but they are putting in some extra time when they are available. Commissioner Ridenour asked him if they are receiving their training when working with the career staff crews and he replied that they were. He added that they both were enrolled in Firefighter 1 at the Fire Academy this fall.

STANDING COMMITTEE REPORTS:

Building and Grounds Committee - Commissioner Ridenour asked Administrator Jones to brief the Board on the progress of the renovation work and Administrator Jones reported that the HQ roof replacement was about 50% complete. He explained that we originally did not expect any roof work to get done until the fall but at the 1st pre-construction meeting, the roofing contractor asked us if he could get started right away on 1 roof because he had a 2½ week opening in his schedule that he wanted to fill. He had materials available to replace the HQ roof if we agreed and after discussing it we all felt that it was a good idea. At this point, they have another 5 to 6 days of work left in putting the new membrane down. Once we select the color of the metal capping, it will be about 4 weeks before the material is delivered to finish the installation. Until then, it won't be completely done but the membrane itself will be down and the building will be watertight. Commissioner Ridenour felt that we should have the ductwork in the office areas evaluated and Administrator Jones replied that he would ask our HVAC service provider if it's worth doing.

COMMENTS OF FIRE DISTRICT PROFESSIONALS:

None.

COMMENTS OF FIRE COMMISSIONERS:

Commissioner Ridenour thanked Administrator Jones for all the work that he's been doing.

OTHER MATTERS:

Commissioner Shestack referred to the IRS documents that he distributed to everyone tonight and explained that they pertained to the volunteer stipend program that we provide to our volunteers for activity that they contribute, which can sometimes amount to as much as \$1,700 or so. This program was in addition to the LOSAP program and the Duty Crew meal money program and annually costs the Fire District from \$35,000 to \$45,000. Volunteers receiving a stipend are required by the IRS to report it as income on their annual tax return and those volunteers receiving more than \$599 each year receive an IRS 1099 MISC. When we were formulating the changes to the LOSAP program last fall for approval by the voters at the annual election in February, we discovered that the IRS had done an audit of a County government agency in Virginia and found that they had improperly reported money and items that they had provided to their volunteers. With proper conformance with IRS regulations being very critical, the tax attorney that we retained felt that we needed to significantly revise several of our policies and guidelines and begin issuing W-2's to those volunteers that receive a stipend because the

IRS considered them "employees" and as such we needed to withhold and transmit FICA, State Income and State Unemployment/Disability taxes. He was concerned about how the volunteers would react to these additional taxes being withheld from their stipend each December, which will reduce the net amount that they are accustomed to receiving although they should have been including their stipend money as income and paying applicable taxes on it all along. Battalion Chief McCorkle sat in on the meeting and understood this and felt that it should not be an issue. Commissioner Shestack noted that the Fire District would also be responsible for matching the FICA tax withheld from the volunteers and estimated that this cost would be about \$4,000 annually. He added that there was a federal law that addressed volunteers and exempted them from paying taxes on "stipends" but it expired in 2010 and has not been renewed by Congress. Commissioner Roura added that technically, the volunteers would be getting a little more take home pay because as the employer, we are picking up ½ of the 15.3% in FICA taxes that they should have been paying when they reported it.

Commissioner Roura expressed his concern that some volunteers may think that as an "employee", they will be entitled to other benefits or membership in the Union. Commissioner Shestack repeated that this would not be a problem because the Federal Department of Labor clearly defines them as "volunteers" and that only the IRS defines them as "employees for tax purposes not for employment related purposes". This information would be added to our new member orientation program so that new members clearly understand it and they would have to acknowledge this understanding in writing. The change would also be incorporated in our policies, which would be updated this summer and brought before the Board for final approval and adoption. Chief of Department Colucci stated that he wanted to sit down with Deputy Chief Burnett to review the policies before he sits down with the tax attorney because she charges \$275 per hour for her services and it won't take long to run up a big bill. Commissioner Shestack suggested getting her to provide a cost proposal for the policy review before proceeding with that effort.

Commissioner Shestack added that the issue of how far back to go retroactively in issuing W-2's was discussed and the consensus was that we would do this prospectively and deal with any back reporting if we are ever audited by the IRS. Commissioner Hamilton had some concerns about some things that were included in the documents that Commissioner Shestack had provided. He felt that our volunteers are not really employees and could qualify under some of the exemptions that are provided. Commissioner Shestack agreed that there are exemptions, but they did not include volunteers that do emergency services work. Chief of Department Colucci added that a "cap" on the amount that a volunteer could receive each December under the stipend program has been discussed but had been shelved until we knew more about what the IRS implications would be and now that we know this, do we want to proceed with the establishment of a "cap". Commissioner Roura recommended tabling this whole issue until we get further along in the process.

Commissioner Hamilton asked whether volunteers in the revised stipend program would receive credit for attending meetings and non-fire response activities. Chief of Department Colucci replied that the stipend program and longevity scale were designed around the activities being performed by volunteers and that in the past, all participation was evaluated and that points were earned by volunteers for some non-fire related activities. The program was being revised to primarily reflect volunteers' attendance on Duty Crews.

Commissioner Shestack added that the IRS is even interested in the value of any clothing such as T-shirts and Job shirts that volunteers receive as part of their uniform but which can also be worn off-duty. Chief of Department Colucci stated that this may be an area of our policy that we change to state that clothing issued as part of the uniform may only be worn on-duty and if it was worn off-duty it would be up to us to discipline them for violating the policy. Administrator Jones added that another thing that came up was whether our Junior Members have working papers permitting those under 18 years of age to "work" for us and whether we should continue to include them in the stipend program. Chief of Department Colucci and Deputy Chief Burnett both felt that there was no reason or way to justify providing Junior Members with a stipend and that under the new guidelines they wanted to implement, they would no longer be responding to calls on the apparatus.

PUBLIC PARTICIPATION:

None.

Resolution #2015-32 "Closing of Meeting Pursuant to Open Public Meetings Act". Commissioner Roura made a motion to approve the resolution that was seconded by Commissioner Cornue. The motion was unanimously approved by the Board.

**THE OPEN SESSION ENDED AT 9:10 PM.
A CLOSED SESSION BEGAN AT 9:11 PM.
THE CLOSED SESSION ENDED AT 9:21 PM.**

The Board discussed whether there was a need for the next meeting scheduled for 7/6/15 and everyone felt that it was not necessary and could be skipped.

Commissioner Ridenour made a motion to adjourn the meeting that was seconded by Commissioner Roura. The motion was unanimously approved by the Board.

THE MEETING ADJOURNED AT 9:25 PM.